

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
v.)	1:14cr401-MHT
)	(WO)
KAMARIAN D. MILLENDER)	

OPINION AND ORDER

Upon consideration of the defendant Kamarian D. Millender's "motion to dismiss restitution" (doc. no. 67), it is ORDERED that the motion is denied.

The court does not have the authority to dismiss, modify, or cancel the restitution based on defendant Millender's challenge to the factual basis for his plea. See *Cani v. United States*, 331 F.3d 1210 (11th Cir. 2003). Nor has he shown changed circumstances warranting a modification of the order. See 18 U.S.C. § 3664(k).

DONE, this the 18th day of April, 2018.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE